

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 KEVIN BROOKS,

4 Plaintiff,

5 v.

6 B. WILLIAMS, *et al.*,

7 Defendants

Case No. 2:20-cv-00026-APG-EJY

**ORDER**

8 Plaintiff, who is an inmate in the custody of the Nevada Department of Corrections, has  
9 submitted a civil rights complaint pursuant to 42 U.S.C. § 1983, and has filed an application to  
10 proceed *in forma pauperis*. (ECF Nos. 1, 1-1). Plaintiff's application to proceed *in forma pauperis*  
11 is incomplete.

12 Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an  
13 application to proceed *in forma pauperis* and attach both an inmate account statement for the past  
14 six months and a properly executed financial certificate. Plaintiff has not submitted the penalty of  
15 perjury page on page 3 of the application to proceed *in forma pauperis*. (See ECF No. 1). As such,  
16 the *in forma pauperis* application is denied without prejudice.

17 **CONCLUSION**

18 For the foregoing reasons, IT IS HEREBY ORDERED that Plaintiff's application to proceed  
19 *in forma pauperis* (ECF No. 1) is DENIED without prejudice to file a new application.

20 IT IS FURTHER ORDERED that the Clerk of the Court WILL SEND Plaintiff the approved  
21 form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled  
22 information and instructions for filing an *in forma pauperis* application.

23 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this Order,  
24 Plaintiff will either: (1) file a fully complete application to proceed *in forma pauperis*, on the correct  
25 form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the  
26 full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50 administrative  
27 fee).  
28

1 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this Order,  
2 dismissal of this action may result.

3 IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint (ECF No.  
4 1-1) but will not file it at this time.

5 DATED: January 10, 2020

6  
7   
8 ELAYNA J. YOUCHAK  
UNITED STATES MAGISTRATE JUDGE